

Deborah C. Prosser (SBN 109856)
 Email: Deborah.Prosser@KutakRock.com
 Stephanie A. Hingle (SBN 199396)
 Email: Stephanie.Hingle@KutakRock.com
 KUTAK ROCK LLP
 515 South Figueroa Street, Suite 1240
 Los Angeles, CA 90071-3329
 Telephone: (213) 312-4000
 Facsimile: (213) 312-4001

Attorneys for Defendants
 GENERAL ELECTRIC COMPANY, GE
 HEALTHCARE INC. and GE HEALTHCARE
 BIO-SCIENCES CORP.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

PETER JAY GERBER and MIRIAM
 GOLDBERG,

Plaintiffs,

v.

BAYER CORPORATION AND
 BAYER HEALTHCARE
 PHARMACEUTICALS, INC.; BMC
 DIAGNOSTICS, INC.; CALIFORNIA
 PACIFIC MEDICAL CENTER;
 GENERAL ELECTRIC COMPANY;
 GE HEALTHCARE, INC.; GE
 HEALTHCARE BIO-SCIENCES
 CORP.; McKESSON
 CORPORATION; MERRY X-RAY
 CHEMICAL CORP.; and DOES 1
 through 35

Defendants.

CASE NO. CV-07-5918-JSW

**STIPULATION AND ORDER
 EXTENDING TIME FOR DEFENDANT
 MCKESSON CORPORATION TO
 ANSWER THE COMPLAINT**

[Jury Trial Demanded]

(San Francisco County Superior Court Case No.
 CGC07468577)

STIPULATION

WHEREAS, defendant McKesson Corporation ("McKesson") has been served with
 the complaint in this action;

WHEREAS, McKesson recently tendered defense of this case to defendant GE
 Healthcare Inc. ("GEHC");

1 WHEREAS, counsel for GEHC in this action became aware of this tender on
2 January 14, 2008;

3 WHEREAS, GEHC is in the process of diligently evaluating the tender, and in the
4 interim seeks to avoid any prejudice to GEHC and/or to McKesson from any delay in
5 McKesson answering the complaint;

6 NOW THEREFORE, IT IS HEREBY STIPULATED, subject to Court approval,
7 that McKesson shall have until January 31, 2008 to answer the complaint on file in this
8 action.

9 Dated: January 16, 2008

LEVIN SIMES KAISER & GORNICK LLP

10 By: 
11

12 Lawrence J. Gornick, Esq.
13 Debra DeCarli, Esq.
Attorneys for Plaintiff

14 Dated: January 16, 2008

KUTAK ROCK LLP

15 By: 
16

17 Deborah C. Prosser, Esq.
18 Stephanie A. Hingle, Esq.
Attorneys for Defendant
19 GE HEALTHCARE INC.

20 ORDER

21 Good cause appearing therefore, based upon the foregoing Stipulation, defendant
22 McKesson Corporation is granted until on or before January 31, 2008 to answer the
23 complaint on file in this action.

24 Dated: January 18, 2008
25


26 JUDGE JEFFREY S. WHITE